

2024 Regular Session

SENATE BILL NO. 246

BY SENATOR LUNEAU

CIVIL PROCEDURE. Provides for the prescriptive period for certain actions for abuse of a minor. (6/14/24)

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AN ACT

To amend and reenact Section 2 of Act No. 386 of the 2022 Regular Session of the Legislature, as amended by Act No. 322 of the 2021 Regular Session of the Legislature, relative to prescription; to provide relative to the prescriptive period for certain civil actions against a person for certain acts committed against a minor; to provide relative to implementation; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Section 2 of Act No. 386 of the 2022 Regular Session of the Legislature, as amended by Act No. 322 of the 2021 Regular Session of the Legislature, is hereby amended and reenacted to read as follows:

\* \* \*

Section 2. Any person whose cause of action related to sexual abuse of a minor was barred by liberative prescription shall be permitted to file an action under R.S. 9:2800.9 on or before June 14, ~~2024~~ 2027. It is the express intent of the legislature to revive until June 14, ~~2024~~ 2027, any cause of action related to sexual abuse of a minor that previously prescribed under any Louisiana prescriptive period.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Hanna Gettys.

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DIGEST

SB 246 Original    2024 Regular Session    Luneau

Present law provides that any person whose cause of action related to sexual abuse of a minor was barred by liberative prescription shall be permitted to file an action under present law on or before June 14, 2024.

Proposed law provides that it is the express intent of the legislature to revive until June 14, 2024, any cause of action related to sexual abuse of a minor that previously prescribed under any La. prescriptive period.

Proposed law retains present law, but extends the deadline to file an action from June 14, 2024 to June 14, 2027.

Effective June 14, 2024.

(Amends Section 2 of Act 386 of 2022 R.S., as amended by Act 322 of 2021 R.S.)